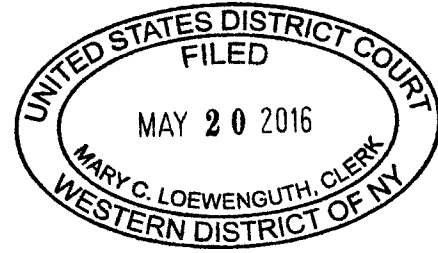


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA

v.

16-CR-45

DANIEL BADU,

Defendant.

INFORMATION

(Title 18, United States Code, Section 1349)

COUNT 1

The United States Attorney Charges That:

1. At all times pertinent to this Information, The Funding Source ("TFS") was a mortgage bank, located in the State of New York.
2. Beginning in or about June 2008 and continuing until in or about October 2008, in the Western District of New York, and elsewhere, the defendant, **DANIEL BADU**, did knowingly, willfully, and unlawfully combine, conspire, and agree with Julio Rodriguez, Gregory Gibbons, Laurence Savedoff, Tina Brown, A.S. and others, known and unknown, to devise a scheme and artifice to defraud financial institutions and to obtain money from financial institutions by means of materially false and fraudulent pretenses, representations and promises, and for the purpose of executing the scheme and artifice, to transmit, and to cause to be transmitted, by means of wire communication in interstate commerce writings,

signs, signals, pictures, and sounds, such violation affecting financial institutions, in violation of Title 18, United States Code, Section 1343.

3. It was part of the scheme and artifice that defendant **DANIEL BADU**, knowing that the documents would be altered and submitted in support of applications for mortgage loans, provided his date of birth, social security number, income, and business certificate document to A.S., a licensed realtor.

4. It was further part of the scheme and artifice that A.S. served as the realtor for defendant **DANIEL BADU** in the purchase of a property located at 814 Faile Street, Bronx New York and assisted him in obtaining a mortgage loan for that property. A.S. and defendant **DANIEL BADU** were aware that defendant **DANIEL BADU** was employed as a home health aide and that he would not qualify for the loan based on his actual income.

5. It was further part of the scheme and artifice that A.S. provided defendant **DANIEL BADU**'s identification, income, employment and asset information to Gregory Gibbons, a mortgage broker who owned Radius Mortgage and GIBCO, LLC. Defendant **DANIEL BADU** knew that Gregory Gibbons would alter these documents and did alter the documents, in order to make him appear to qualify for a mortgage loan for the property. Defendant **DANIEL BADU** also knew that Gregory Gibbons would send and did send an application on his behalf for an FHA loan (a loan insured by the Federal Housing Administration) including false supporting income and business certificate documents to TFS.

6. It was further part of the scheme and artifice that, based on the false income and business certificate documents, a mortgage loan in the amount of \$574,543.00 was approved for defendant **DANIEL BADU** by TFS.

7. Based on the false and fraudulent representations in the loan application and supporting documents, on or about September 3, 2008, M&T Bank, a financial institution, purchased the loan from TFS by wiring funds in the approximate amount of \$580,202.89, from its bank account ending in 0811 located in New York State to a TFS bank account ending in 3002 at InSouth Bank, said wire transmission travelling through the State of Ohio.

8. It was further part of the scheme and artifice that, beginning in or about June 2008 and continuing through in or about October 2008, defendant **DANIEL BADU** conspired with Julio Rodriguez, Gregory Gibbons, Laurence Savedoff, Tina Brown, A.S. and others to arrange for an additional mortgage loan to be obtained on his behalf using fraudulent income and business certificate documentation for the property at 823 East 218th Street, Bronx, New York.

9. For the purpose of executing the scheme and artifice, the defendant, **DANIEL BADU**, along with Julio Rodriguez, Gregory Gibbons, Laurence Savedoff, Tina Brown, A.S., and others, on or about the dates set forth below, did cause to be transmitted, by means of wire communication in interstate commerce the following:

DATE	ITEM	PROPERTY
8/22/2008	INCOMING WIRE Amount: \$553,403.73 Credit to: HSBC Bank USA Laurence M Savedoff ESQ Attorney Escrow Account AC # ending in 1846 Debit from: Capital Bank United Abstract & Research Inc. AC # ending in 6611	814 FAILE ST BRONX NY
9/3/2008	OUTGOING WIRE Amount: \$580,202.89 Debit from: M&T Bank RES MTG BANK BUSINESS AC # ending in 0811 Credit to: InSouth Bank Federal Home Loan Bank of Cincinnati AC # ending in 3002	814 FAILE ST BRONX NY
10/23/2008	INCOMING WIRE Amount: \$679,517.43 Credit to: HSBC Bank USA Laurence M Savedoff ESQ Attorney Escrow Account AC # ending in 1846 Debit from: Fed First Tennessee Bank NA MetLife Bank AC # - Unknown	823 EAST 218 TH ST BRONX NY

All in violation of Title 18, United States Code, Section 1349.

DATED: Buffalo, New York, May 20, 2016.

WILLIAM J. HOCHUL, JR.
United States Attorney

BY:

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